

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 60517(71699) 10/540901 US APPLICATION NO. 10/540901 (37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/US03/41127	INTERNATIONAL FILING DATE 26 December 2003	PRIORITY DATE CLA...CD 27 December 2002
TITLE OF INVENTION FANC GENE MUTATIONS IN CANCER		
APPLICANT(S) FOR DO/EO/US Scott E. Kern et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard, Copy of Published PCT Application No. WO 2004/061082 A2</p>		

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U.S. APPLICATION NO. (if known, per 37 CFR)	INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/540904	PCT/US03/41127		60517(71699)	
The following fees have been submitted			CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee \$300			\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200				
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500			\$ 200.00	
TOTAL OF 21, 22 and 23 =			\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
- 100 =	/50 =		x \$250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).			\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	20 - 20 =	x	\$ 0.00	
Independent claims	7 - 3 =	4	\$ 200.00	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			\$	
TOTAL OF ABOVE CALCULATIONS =			\$ 1,930.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.			\$ 965.00	
SUBTOTAL =			\$ 965.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).			\$	
TOTAL NATIONAL FEE =			\$ 965.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$	
TOTAL FEES ENCLOSED =			\$ 965.00	
			Amount to be refunded: \$	
			Amount to be charged: \$	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.				
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 04-1105 in the amount of \$ 965.00 to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1105. A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.				
SEND ALL CORRESPONDENCE TO:				
Peter F. Corless EDWARDS & ANGELL, LLP P.O. Box 55874 Boston, Massachusetts 02205 CUSTOMER NUMBER: 49383				SIGNATURE: Peter F. Corless
				NAME: _____
				REGISTRATION NUMBER: 33,860

10/540904

JC20 Rec'd 27 JUN 2005

Application No. (if known):

Attorney Docket No.: 60517(71699)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV654384645US in an envelope addressed to:

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on June 27, 2005
Date

Susan M Dillon

Signature

Susan Dillon

Typed or printed name of person signing Certificate

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(617) 439-4444

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet (2 pages)

Return Receipt Postcard, Copy of Published PCT Application No. WO
2004/061082 A2

Preliminary Amendment

Transmittal Letter to the United States Designated-Elected Office (2
pages)

Charge \$965.00 to deposit account 04-1105